

Mail Stop Interference
P.O. Box 1450
Alexandria Va 22313-1450
Tel: 571-272-4683
Fax: 571-273-0042

Paper 1

Filed 19 August 2010

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

HIROSHI TAYANAKA
Junior Party
(Patent 6,107,213),

v.

KIYOFUMI SAKAGUCHI, TAKAO YONEHARA
and **NOBUHIKO SATO**
Senior Party
(Application 10/085,046).

Patent Interference No. 105,767 (JL)
(Technology Center 2800)

DECLARATION - BD.R. 203(b)¹

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 **Part A. Declaration of interference**

2 An interference is declared (35 U.S.C. § 135(a)) between the above-identified
3 parties. Details of the application(s), patent (if any), reissue application (if any), count(s)
4 and claims designated as corresponding or as not corresponding to the count(s) appear
5 in Parts E and F of this DECLARATION.

6 **Part B. Judge managing the interference**

7 Administrative Patent Judge Jameson Lee has been designated to manage the
8 interference. Bd. R. 104(a).

9 **Part C. Standing order**

10 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this
11 DECLARATION. The STANDING ORDER applies to this interference.

12 **Part D. Initial conference call**

13 A telephone conference call to discuss the interference is set for **1:00 p.m. (EST)**
14 **on 30 September 2010** (the Board will initiate the call).

15 No later than **four business days** prior to the conference call, each party shall
16 file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204;
17 SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

18 A sample schedule for taking action during the motion phase appears as Form 2
19 in the STANDING ORDER. Counsel are encouraged to discuss the schedule prior to
20 the conference call and to agree on dates for taking action. A typical motion period
21 lasts approximately eight (8) months. Counsel should be prepared to justify any request
22 for a shorter or longer period.

Part E. Identification and order of the parties

Junior Party

Named inventor: HIROSHI TAYANAKA, Kanagawa, Japan
Involved Patent: 6,107,213 granted 22 August 2000 based on
Application 08/818,239 filed 14 March 1997
Title: Method for making thin film semiconductor
Assignee: SONY Corporation

Senior Party

Named Inventors: KIYOFUMI SAKAGUCHI, Isehara-shi, Japan
TAKAO YONEHARA, Atsugi-shi, Japan
NOBUHIKO SATO, Yokohama-shi, Japan
Involved Application: 10/085,046 filed 1 March 2002
Title: Process for production of semiconductor substrate
Assignee: Canon Kabushiki Kaisha

The senior party is assigned exhibit numbers 1001-1999. The junior party is
assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶ 154.2.1. The senior party
is responsible for initiating settlement discussions. SO ¶ 126.1.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29

2

3

4

6

7

8

9

10

11

13

14

15

17

18

19

20

21

22

23

24

25

26

27

28

Patent 6,294,478 granted 25 September 2001 based
on Application 08/807,604 filed 27 February 1997

09/933,711 filed 22 August 2001
09/840,895 filed 25 April 2001
JP 6-039389 filed 10 March 1994
JP 7-045441 filed 6 March 1995
JP 7-260100 filed 6 October 1995
JP 8-041709 filed 28 February 1996
JP 8-264386 filed 4 October 1996

Part G. Heading to be used on papers

The following heading must be used on all papers filed in this interference, see
SO ¶ 106.1.1:

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

HIROSHI TAYANAKA
Junior Party
(Patent 6,107,213),

v.

KIYOFUMI SAKAGUCHI, TAKAO YONEHARA
and NOBUHIKO SATO
Senior Party
(Application 10/085,046).

Patent Interference No. 105,767 (JL)
(Technology Center 2800)

Part H. Order form for requesting file copies

When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Parts E and F of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

/JAMESON LEE/
Administrative Patent Judge

Enc:
Copy of STANDING ORDER

Revised 3 January 2006

1 cc (via overnight delivery):
2

3 Attorney for Tayanaka:
4

5 SONNENSCHN NATH & ROSENTHAL LLP
6 233 South Wacker Drive, Suite 7800
7 Chicago, IL 60606-6404
8

9 Attorney for Sakaguchi:
10

11 FITZPATRICK CELLA HARPER & SCINTO
12 1290 Avenue of the Americas
13 New York, N.Y. 10104-3800